

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2002 Legislative Session**

C. DCA ADMINISTRATION

(1) NEW PROGRAMS

No bills introduced in the 2002 legislative session

(2) GENERAL ADMINISTRATION

**AB 138
Nation**

Bidding Procedures: Alternative Bids

**Enacted
Chapter #455**

Prohibits state and local agencies from revealing the identity of proposed subcontractors or suppliers until after the successful bidder is determined. This is a cleanup bill for AB 2182 (Mazzoni), Chapter 292, Statutes of 2000.

**AB 269
Correa**

Disciplinary Functions of Licensing Boards, Commissions, and Bureaus

**Enacted
Chapter #107**

Mandates that the protection of the public be the highest priority in exercising licensing, regulatory, and disciplinary functions for the boards, bureaus, committees, and commissions within the Department of Consumer Affairs.

**AB 363
Steinberg**

Public Attorney Whistleblower Protection

Vetoed

Would have established a limited exception to an attorney's ethical duty of confidentiality by permitting, but not requiring, an attorney who learns of improper governmental activity in the course of representing a governmental organization to directly refer that matter to the law enforcement agency or official charged with oversight of the governmental organization.

Authorizes loans from the following DCA entities to the General Fund:

1. Bureau of Barbering and Cosmetology
2. Bureau of Automotive Repair
3. Board of Accountancy
4. Board of Behavioral Science
5. Contractors State License Board
6. Dental Board
7. Board of Psychology
8. Osteopathic Medical Board
9. Board of Pharmacy
10. Board of Registered Nursing
11. Structural Pest Control Board

Requires the Medical Board to designate a liaison to assist international medical graduates through the appropriate programs to facilitate their licensure and reentry into their profession. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. **Urgency Measure Effective July 1, 2002.**

Requires the Department of General Services, in consultation with the California Environmental Protection Agency, members of the public, industry, and public health and environmental organizations to provide state agencies with information and assistance to promote the procurement of environmentally preferable products and services.

Would have increased the damages applicable to any person who corruptly permitted the violation of any state public contract for the acquisition of goods and services to three times the amount the state may have lost or be liable to lose, rather than two times. Also would have stipulated that any person who entered into a contract with the state for the acquisition of goods and services under a contract determined to be void by reason of that person's intentional or grossly negligent misrepresentation or by the failure to disclose a material fact shall be liable for three times the amount the state may have lost or be liable to lose by reason of entering into that contract, plus state costs and attorney's fees.

Requires significant cuts to the state bureaucracy by a total of five percent and \$750 million. Requires the Governor to issue an executive order to provide additional service credits for designated units in order to encourage the early retirement of state employees. Requires 1,000 state positions to be abolished by the end of the 2003-04 budget year. Also limits General Fund (GF) expenditures for the 2003-04 budget year to the amount of GF revenues. **Urgency Measure Effective September 28, 2002.**

AB 787
Hertzberg

State Government: State Departments

Vetoed

Would have required the Office of Planning and Research, in consultation with the state departments, to evaluate the various functions of each state department and make recommendations based on those evaluations in order to improve the delivery of various state services, increase the economic viability of each evaluated state department, and better serve the regions of the state.

AB 797
Shelley

Public Records: Confidentiality

Enacted
Chapter #380

Extends the current Address Confidentiality for Victims of Domestic Violence and Stalking Program until January 1, 2009, and expands the program to include address confidentiality for reproductive health care service providers, employees, volunteers, and patients.

AB 822
Shelley

Public Records: Disclosure

Vetoed

Would have placed additional administrative, fiscal and legal burdens on government agencies by creating a secondary appeals process to determine if a state agency had wrongfully withheld public information under the Public Records Act (PRA). Would have required the Attorney General's decision on any agency's compliance with the PRA to be made available for "public inspection", which could have jeopardized agencies' operations relative to investigations, examinations, personnel, negotiations, pending litigation, etc. Further, this proposed legislation would have allowed court-imposed monetary sanctions if a court determined that an agency acted in "bad faith."

In his veto message, the Governor stated that this legislation would create an inherent conflict of interest because the Attorney General is legal counsel for most state agencies, advising these agencies regarding PRA requests. The legislation also would provide for disruptive and costly procedures.

The Governor has directed the Secretary of the State and Consumer Services Agency (SCSA) to work with the Attorney General, the Department of Personnel Administration, and others as appropriate, to implement SCSA's recommendations to improve the State's response to PRA requests as soon as possible. These recommendations include establishing uniform guidelines for reviewing requests and providing updated training materials, which the Governor says are all the more important to ensure appropriate review of sensitive materials following September 11.

AB 914
Shelley

Public Records

Died in First
Policy
Committee

Would have amended the Public Records Act to require public agencies and courts to release to the public any record not expressly prohibited from disclosure by a specific provision of law if the agency or court found that withholding the record would have harmed the public interest, public safety, or the constitutional rights of any person.

AB 1035
Hertzberg

State Supervisory & Managerial Employees: Compensation Increase

**Died in Senate
Appropriations
Committee**

Would have appropriated from the General Fund and various special funds to the State Controller a sum sufficient to provide all state supervisory and managerial employees with a salary increase so that each supervisor or manager is paid at a salary range that is at least 10% higher than the salary range of the highest paid subordinate over whom the supervisor has authority.

AB 1357
Wiggins

Personal Services Contracts: Employee Compensation

**Enacted
Chapter #1132**

Specifies that personal service contracts being entered into by state agencies for janitorial, housekeeping, and security guard services provide employee benefits valued at 85% of the state employer cost of wages provided to state employees performing similar duties. Also expands the definition of "benefits" for purposes of this provision to include holiday pay.

AB 1559
Diaz

State Data Centers

**Enacted
Chapter #45**

Repeals the July 1, 2002, sunset date for the Stephen P. Teale Data Center in the Business, Transportation and Housing Agency, the Health and Human Services Data Center in the Health and Human Services Agency, and the Hawkins Data Center in the Department of Justice.

AB 1599
**Negrete
McLeod**

Age Discrimination in Employment

**Enacted
Chapter #525**

- Broadens the legal prohibition on employment discrimination based upon age.
- Makes all discrimination based upon age of individuals 40 and over in employment unlawful, except where expressly provided by law.
- Repeals an existing provision in the Fair Employment and Housing Act (FEHA) that makes it an unlawful employment practice for any employer to refuse to hire or employ, or to discharge, dismiss, reduce, suspend, or demote any individual over the age of 40 on the basis of age, except where the law compels or provides for that action.
- Adds "age" to the bases of discrimination constituting unlawful employment practices under FEHA (in addition to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or sexual orientation).
- Provides an exception for an employer to refuse to hire an individual because of his or her age if the law compels or provides for that refusal, and would declare that certain employer acts do not in and of themselves constitute unlawful employment practices.
- Specifies that an employer is not prohibited from inquiring into the age of an applicant or from specifying age limitations, where the law compels or provides for that action.
- Declares the Legislature's intent to clarify existing law and to specifically reject the holding in *Esberg v. Union Oil Company of California*, 87 Cal. App. 4th 378 (2001).

AB 1649 Goldberg	<u>Discrimination</u> Would have provided that for the purposes of the Fair Employment and Housing Act, the term “sex” includes a person’s gender.	Failed on Senate Floor
AB 1684 Committee on Public Employees, Retirement and Social Security	<u>State Employees: Memorandum of Understanding</u> Ratifies the Memorandum of Understanding between the state and State Bargaining Unit 2 - Attorney and Administrative Law Judges, represented by the California Attorneys, Administrative Law Judges and Hearing Officers in State Employment. Urgency Measure effective May 16, 2002.	Enacted Chapter #40
AB 1703 Steinberg	<u>Attorneys: Pro Bono Services</u> Commencing January 1, 2003, existing law requires the contracting law firm of a contract with the state for legal services exceeding \$50,000 to certify that it agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract. Existing law provides that the minimum number of hours of pro bono legal services may be either (1) 30 times the number of attorneys in the law firm with the hours prorated on an actual day basis for any contract period of less than a full year or (2) 10% of the contract. This statute defines “10% of the contract” to mean the number of hours equal to 10% of the contract amount divided by the average billing rate of the firm.	Enacted Chapter #137
AB 1714 Canciamilla	<u>Public Resources: Prohibited Uses</u> Prohibits any elected state officer, local official, appointee, employee, or consultant to use or permit others to use state resources for a campaign activity, or personal or other purposes that are not authorized by law. Also specifies that incidental and minimal use of public resources is not subject to prosecution under the Penal Code.	Enacted Chapter #154
AB 1791 Runner	<u>Conflicts of Interest: Disclosure</u> Would have required all appointed state government officials, designated employees, and contract consultants to file a statement of economic interest within 10 days of their first day on the job. The bill would have prohibited an action undertaken against a filing officer from being construed to preclude further action against an individual filer. Also would have prohibited an action to be undertaken against a filing officer in lieu of taking action for a violation committed by an individual filer.	Failed in Assembly Appropriations Committee

Conflicts of Interest: Disqualification

**Enacted
Chapter #233**

Requires specified public officials who have a financial interest in a decision, to immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse him/herself from participating in, discussing or voting on the matter. However, the public official may speak on the issue during the time that the general public speaks on the issue. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.
 - Applies to elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils of cities, and other public officials who manage public investments.
 - Does not apply to Members of the Legislature.

Public Records

**Failed in Senate
Appropriations
Committee**

The DD214 is the federal-form which is the official separation document given to all veterans and presently includes a veteran's social security number, birth date, home address, the maiden name of female veterans, and other vital information.

This bill would have required a county recorder to require a veteran to sign a form acknowledging that the document would become a public record subject to inspection when a veteran requests the recordation of any military discharge document, such as a DD21.

Public Contracts: State Government: Info. Technology Contracts

**Died on Senate
Floor**

Would have required the Director of the Department of General Services or the director of a state agency, as applicable, to notify the Chair and all the members of the Joint Legislative Budget Committee and the chairs of specified legislative committees of his or her intention to enter into either of certain types of sole-source contracts, for the acquisition of information technology goods and services with costs of \$500,000 or more, at least 30 days prior to entering into the contract.

**AB 1825
Nakano**

Leaves of Absences: Organ Donors

**Enacted
Chapter #869**

Requires that:

- State and CSU employees who are organ donors, and who have exhausted all available sick-leave be granted a leave of absence with pay not exceeding 30 days.
- State and CSU employees who are bone marrow donors, and who have exhausted all available sick-leave, be granted a leave of absence with pay not exceeding five days.
- The employee must provide written verification to the employer that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow, in order to receive the paid leave of absence

Allows the Regents of the University of California to adopt the same leave of absence provisions for their employees. Specifies that in all cases if the leave of absence provisions are in conflict with a memorandum of understanding, the memorandum of understanding will be controlling.

**AB 1850
Nakano**

Military Service: Health Care Benefits

**Enacted
Chapter #417**

Allows reservists of the National Guard called up to active duty for 30 days or more in service to the state to be eligible for health care benefits that cover dependents. **Urgency Measure effective September 9, 2002.**

**AB 1857
Wayne**

Administrative Procedures

**Enacted
Chapter #389**

Makes clarifying and technical changes that refine the rulemaking process and would increase the general public's knowledge of, and access to, proposed regulatory changes.

**AB 1873
Koretz**

Peace Officers: Confidential Records

**Enacted
Chapter #63**

Under existing law, peace officer personnel records and other specified records, or information from those records, are confidential and may not be disclosed by the department or agency that employs the peace officer in any civil or criminal proceeding except by discovery pursuant to specified provisions of law.

This statute provides in addition, that these records may not be disclosed in any civil or criminal proceeding except by discovery pursuant to specified provisions of law.

**AB 1908
Cohn**

Public Employees: Long-Term Care Insurance

**Enacted
Chapter #871**

Allows public employers to contribute funds to the California Public Employees' Retirement System to pay long-term care premiums on their employees' behalf.

AB 1950 Wright	<u>State Employment: Probation</u> Grants state agencies the authority to extend the probationary period of new employees for a period not to exceed six months in order to address disability accommodation issues. Also authorizes state agencies to enter into an agreement with employees who may need reasonable accommodation of disabilities as an alternative to terminating the employee or accepting them as permanent employees.	Enacted Chapter #236
AB 1962 Hollingsworth	<u>Electronic Communication</u> Revises and conforms language that defines writings in both the Evidence Code and the Public Records Act.	Enacted Chapter #945
AB 2029 Canciamilla	<u>Employment: Employee Fund Statements</u> Would have required annual statements of employer contributions to employee funds to include more data. Specifically, the bill would have required that the annual statements for the fund include the amount of the payments and any other information agreed to by the employer and the employee.	Failed in Assembly Labor & Employment Committee
AB 2037 Diaz	<u>Public Contracts: Claims</u> Provides that public entities shall include in every contract a provision for timely notification of the contractor of the receipt of any third-party claim. Provides that a public entity shall be entitled to recover its reasonable costs incurred providing the contractor timely notification of third-party claims.	Enacted Chapter #315
AB 2070 Jackson	<u>State Contracts: Disclosure of Violations</u> Would have required each bidder for a state contract exceeding \$25,000 to certify whether the bidder or any managing employee of the bidder had been convicted of a felony or been subject to an adverse court action, or administrative ruling stemming from various specified laws.	Failed in Senate Governmental Organization Committee
AB 2072 Mountjoy	<u>Open Meetings: Closed Sessions: Security</u> Authorizes state entities to hold closed sessions, upon a 2/3 vote of the members present, to consider matters pertaining to a threat of criminal activity against personnel, property, buildings, facilities, or equipment, including electronic data, owned and controlled by the state entity. The entity is required to reconvene in open session and report the general nature of the matters considered in closed session.	Enacted Chapter #1113
AB 2195 Corbett	<u>Workplace Protections</u> Extends existing protections against adverse employment actions against victims of domestic violence who take time off from work, to include victims of sexual assault.	Enacted Chapter #275

AB 2210
Strickland

Commission on Government Waste and Inefficiency

**Failed in
Assembly
Budgets
Committee**

Would have established the Commission on Government Waste and Inefficiency in state government, to consist of a specified membership, to analyze the annual state budgets for the 1998-99 fiscal year to the 2002-03 fiscal year, inclusive, for waste, fraud, and inefficiency, and to make recommendations to the Governor and the Legislature on ways to eliminate wasteful spending in light of the state's current fiscal crisis. Also would have required the report to be submitted to the Governor and the Legislature no later than March 15, 2003, at which time the commission would have ceased to exist.

AB 2244
Wayne

Prepaid Calling Cards and Services

**Enacted
Chapter #778**

Imposes additional disclosure requirements on entities that issue prepaid calling cards; imposes additional requirements for operating and maintaining the customer service number for each card issuing entity; and specifies language requirements for the disclosures.

AB 2268
Horton

State Employees: Dismissed Employees

Vetoed

Would have required: 1) that notice be included on the state application form, in notices of adverse action, in adverse actions issued by the SPB, and in notices sent to all former state employees who have filed discrimination complaints informing persons who have been dismissed from state service of the requirement to request and receive permission from SPB's Executive Officer before submitting applications to take civil service examinations for state jobs; 2) SPB to adopt rules for granting blanket waivers of this requirement; 3) state agencies to create a pool of trained supervisory employees to act as Skelly officers to conduct pre-disciplinary reviews of adverse actions and requires that the Skelly officer prepare a review that sets forth facts and findings, analyzes the affirmative defenses raised by the employee, and notes any contradiction between the action taken by the state agency and the agency's policy; 4) that a supervisor or manager be prohibited from acting as a Skelly officer for a disciplined employee in the same agency and requires each agency to reimburse SPB for the cost of training its Skelly officers; 5) state agencies to track and report to the Legislature the costs that are incurred in connection with litigation of discrimination cases; 6) that each department's equal employment opportunity (EEO) officer must report directly to the department's director.

AB 2278
**Campbell,
John**

Public Records: Personal Identifying Information

**Failed in
Assembly
Governmental
Committee**

Would have prohibited a state agency from releasing specified personal information in any public document, or in any other document, to any person or entity, except the individual for whom the information pertained and to other public agencies.

AB 2283
La Suer

Written Reports: Cost

**Enacted
Chapter #370**

Requires state agencies to consider cost reduction options in the process of preparing written reports, including elimination of unnecessary color graphics, color photographs, bindings and paper.

**AB 2323
Wyman**

Bid Preferences: Disabled Veteran Business Enterprises

Would have created an additional 5% bid preference for certified disabled veteran business enterprises, not to exceed \$50,000 per bid, or \$100,000 per bid in combination with any other bid preferences.

**Died in Senate
Appropriations
Committee**

**AB 2357
Briggs**

State Contracts: Bid Preferences

The Small Business Procurement and Contract Act provides that in contracts for the provision of goods, information technology, and services to the state, small businesses shall receive a 5% bid preference, not to exceed \$50,000 per bid, or \$100,000 per bid in combination with any other bid preferences. This bill would have eliminated those monetary limits for the small business bid preference.

**Failed in
Assembly
Appropriations
Committee**

**AB 2366
Dickerson**

Political Reform Act of 1974: Conflicts of Interests

Specifies that in jurisdictions with a population of 10,000 or less, a retail customer of a business entity in which a public official has a 10% or greater interest is not a source of income to that official if the following conditions apply:

1. The retail customers of the business constitute a significant segment of the general public; and,
2. The amount of income received by the business from the customer is less than 1% of the gross sales revenue that the business entity earned during the 12 months prior to the decision being made.

**Enacted
Chapter #654**

**AB 2374
Reyes**

State Employees: Retirement Benefits

Would have provided that a state member of the system who is employed by the state, was eligible to retire, retired during the 2002-03 or 2003-04 fiscal year, and returned to his or her former department or agency in state employment after retirement on a part-time basis for a period of 24 months, would have received credit for one additional year of age and service, or two additional years of service, and would have his or her retirement benefits recalculated prospectively.

**Failed in
Assembly
Appropriations
Committee**

**AB 2378
Jackson**

State Agencies: Agency Reports

Would have required all state agencies to identify all federal funds that were available for programs within the subject matter jurisdiction of the agency, department, office, board, or commission and report to the Legislature, by January 1, 2004, on any funds available, if the funds were applied for, and how the funds would be used.

**Failed in
Assembly
Appropriations
Committee**

AB 2567 Committee on Business and Professions	<p><u>State Agencies: Reports: Public Contracts: Acquisitions of Goods and Services</u></p> <ul style="list-style-type: none"> • Reconciles conflicting statutes by authorizing any state agency that receives delegated authority from DGS to spend up to the statutory annual independent acquisition limit (currently \$25,000). • Repeals the requirement for an annual DGS report to the Governor on the transactions of the Office of State Publishing. • Repeals the requirement that 12 specified state agencies and officers report annually to DGS and the Joint Legislative Budget Committee on their use of goods provided by the Prison Industry Authority. • Requires the term "small business", as it relates to small business enterprises, to be defined by each local agency and also reduces maximum contract value limits with respect to the awarding of state contracts, under certain authority, to small businesses, micro-businesses, or disabled veterans. 	Enacted Chapter #951
AB 2610 Mountjoy	<p><u>Public Contracts: Lowest Responsible Bidder</u></p> <p>This bill would have provided that the term "lowest responsible bidder," "lowest responsive, responsible bidder," "lowest regular responsible bidder," "lowest and best responsible bidder," "lowest qualified bidder," or "lowest and best bidder," as used in the code, means the responsible bidder who submitted the lowest responsive bid.</p>	Died on Assembly Floor
AB 2631 Matthews	<p><u>Resources</u></p> <p>Requires state agencies to submit the consulting service contract report within 60 working days after the end of the previous fiscal year and requires the Department of General Services to furnish a list of the agencies that have not submitted the required report within 120 working days after the close of the fiscal year. Also requires the Department of General Services to submit an additional report summarizing the agency reports to the specified committees in the Legislature.</p>	Enacted Chapter #953
AB 2634 Campbell, John	<p><u>Governor's Appointments: Department of Consumer Affairs</u></p> <p>Would have authorized the Senate Rules Committee to make appointments to Department of Consumer Affairs boards and the Board of Chiropractic Examiners if the Governor has not done so within 180 days of a vacancy.</p>	Failed Assembly Business & Professions Committee
AB 2666 Mountjoy	<p><u>Public Contracts: Contract Specifications</u></p> <p>Would have revised the conditions under which public agencies could require goods or services from one specific source when putting contracts out to bid.</p>	Failed in Senate Governmental Organization Committee
AB 2752 Alquist	<p><u>Discrimination Against Injured Workers</u></p> <p>Would have strengthened protections for workers who refused to work under dangerous or hazardous conditions, and increased penalties for retaliatory acts.</p>	Vetoed

AB 2839 Kehoe	<u>State Employees</u>	Vetoed
	Would have revised the definition of "meet and confer" as it is used in the Bill of Rights for State Excluded Employees (BRSEE) to require that the state fully consider the presentations made by organizations representing supervisory employees prior to reaching a decision.	
AB 2845 Goldberg	<u>Safety in Employment</u>	Vetoed
	Existing law requires the Occupational Safety and Health Standards Board to adopt ergonomic standards designed to reduce repetitive motion injuries in the workplace on or before July 1, 1995. This bill would have required the board to revise those standards on or before July 1, 2004.	
AB 2850 Firebaugh	<u>Personal Services Contracts: Legal Services</u>	Vetoed
	Existing law establishes standards for the use of personal services contracts outside the civil service system, if contracting would achieve cost savings or if certain conditions can be met. This bill would have required specified notices to the designated representative of State Employees Bargaining Unit 2 regarding contracts for legal services.	
AB 2892 Horton	<u>State Employees: Discrimination Action</u>	Vetoed
	Would have provided that, under the California Civil Service Act, a person's failure to exhaust his or her judicial remedies in an appeal from an adverse action before the State Personnel Board, or its authorized representative, may not preclude a separate or subsequent discrimination action, between the individual and the appointing power brought before an arbitrator, court, or judge of this state or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts, unless the issue of discrimination was expressly raised by the person appealing the adverse action, and was addressed and decided by the adjudicator, in the prior proceeding. This section would further declare that such a discrimination action may not be barred on grounds that the aggrieved person failed to exhaust his or her state civil service administrative remedies. The bill also would have declared the intent of the Legislature that its provisions overrule specified decisions.	
AB 2940 Migden	<u>Employer-Employee Relations: State Employees</u>	Failed in Assembly Appropriations Committee
	Would have provided for final and binding arbitration of disputes regarding economic issues between the state and state Bargaining Unit 2, California State Attorneys, Administrative Law Judges and Hearing Officers in State Employment.	
AB 2941 Wiggins	<u>Public Records</u>	Failed in Assembly Governmental Organization Committee
	Would have required the person requesting public records to provide proof of his or her identity and documentation of the reason that the information is being requested.	

**AB 2968
Horton**

State Employees: Deferred Compensation

Existing law authorizes the Department of Personnel Administration to establish a deferred compensation plan for state employees and to establish and administer the purchase of specified tax-sheltered annuity contracts. This bill would have required the state to match, up to a maximum of 5% of the employee's salary, any contributions made by excluded employees to a deferred compensation plan or tax-sheltered annuity.

**Failed in
Assembly
Appropriations
Committee**

**AB 2973
Committee on
Business and
Professions**

Regulation of DCA Boards and Bureaus

Proposes nonsubstantive technical and clarifying changes that enact, amend, or repeal provisions relating to the regulatory programs of the: 1) Bureau of Automotive Repair, 2) Bureau of Electronic and Appliance Repair, 3) Board of Guide Dogs for the Blind, 4) Bureau of Home Furnishings and Thermal Insulation, and 5) Structural Pest Control Board. Additionally, will streamline DCA's annual reporting requirements.

**Enacted
Chapter #405**

**AB 2990
Committee on
Labor and
Employment**

Employment: Retaliation

Would have, except where there was a bona fide seasonal layoff or reduction in force affecting the majority of employees, created a rebuttable presumption affecting the specified burden of proof that the provisions of existing law were violated if a person discharges, demotes, suspends, or reduces the hours of work or pay of an employee within 90 days after the employee has exercised his or her rights under the Labor Code. The bill also would have provided that these provisions could not be construed to give the Labor Commissioner concurrent jurisdiction with the Workers' Compensation Appeals Board with regard to discrimination complaints.

Vetoed

**AB 3022
Special
Committee on
Assembly
Legislative
Ethics**

State Agencies Ethics Orientation

Requires all employees of a state agency who are required to file statements of economic interest to attend an orientation course every two years on the relevant ethics statutes and regulations that govern the official conduct of state officials.

**Enacted
Chapter #663**

**AB 3035
Committee on
Judiciary**

Access to Government Programs

Modifies the Ralph M. Brown Open Meeting Act (local government) and the Bagley-Keene Open Meeting Act (state government) to cross-reference a federal Americans with Disabilities Act (ADA) requirement for agendas and public documents distributed at the meetings to be made available in appropriate alternative formats upon request.

**Enacted
Chapter #300**

ACA 16
Hollingsworth

State Government

**Failed in
Assembly
Budget & Rules
Committee**

This bill would have:

- Made the salary and benefits of elected constitutional officers, including Members of the Legislature effective on and after the first Monday after January 1 following the adoption of the resolution. The bill would have also excluded a Member of the Legislature from the definition of state officer for purposes of those provisions, and instead, would have provided that, the annual salary for a Member of the Legislature who began a term of office on or after January 6, 2003, would be equal to 1/3 of the salary that was in effect for a Member of the Legislature on December 4, 2000.
- Required the Legislature to convene in regular session on the 1st Monday after January 1 of each odd-numbered year and would have provided that each session would adjourn sine die at midnight on December 31 of the following even-numbered year. The measure would have authorized the Legislature to meet in regular session only for a period of 90 calendar days commencing on the 1st Monday after January 1.
- Shortened the time period for a committee hearing or action on bills until the 7th day after the bill was introduced, except upon a 3/4 vote of the Legislature.
- Required the Governor, with regard to the budget and budget bills for fiscal periods commencing on or after July 1, 2003, to submit, within the first 10 days of each odd-numbered year, a budget for the following 2 fiscal years and would have required the Legislature to pass the budget bill by midnight on April 15 of each odd-numbered year.

ACR 222
Leonard

State Employee Records

**Died in
Assembly
Rules
Committee**

Would have required the Department of Consumer Affairs, the Controller, and the Teale Data Center, to take preventive measures on behalf of all 250,000 state employees by assuming responsibility, and taking the necessary precautionary steps, to ensure that there was no unauthorized use of personal information that may have been accessed due to the security breach that occurred in mid-April 2002, including contacting credit bureaus and the Social Security Administration to place fraud alerts on the records of affected state employees.

SB 43
Polanco

State Civil Service: Employment

Vetoed

Was amended August 25, 2002 to reflect a new author and new subject. The bill was amended to include provisions that would have established a state policy with respect to the dissemination of examination and employment information and required the State Personnel Board to develop a system requiring state agencies to implement this policy. The bill would have required each state agency to submit to the State Personnel Board by March 15, 2003, a listing of examinations that would require validation and estimated costs of validation.

SB 105 Burton	<u>Services: Blind: Visually Impaired: Deaf: Hard of Hearing</u> Establishes the Division of Services for the Blind and Visually Impaired and the Deaf and Hard of Hearing within the Department of Rehabilitation, and establishes the responsibilities of the division, requires the director of the division to report to the Legislature and the Governor on programs administered by the division, and requires the director to appoint a Blind Advisory Committee and a Deaf Advisory Committee to advise the director on certain issues.	Enacted Chapter #1102
SB 222 Torlakson	<u>State Employees</u> Implements the tentative agreements reached on June 18, 2002, between the state and State Bargaining Unit 9 – Professional Engineers in California Government. Urgency measure effective August 26, 2002.	Enacted Chapter #278
SB 360 Machado	<u>State Employees: Wages</u> Would have provided that wages earned by state employees for labor performed in excess of the normal work period be paid no later than the next regular payroll period. Civil penalty and misdemeanor provisions for violation of this requirement which presently apply to private employers would have been made applicable to the state.	Vetoed
SB 371 Escutia	<u>Courts: Interpreters</u> Makes legislative findings and declarations regarding certified and registered court interpreters and states the intent of the Legislature to allow specified court interpreters to become employees of the judicial branch, with the right to participate in employee organizations and be represented in employee-employer labor relations.	Enacted Chapter #1047
SB 569 Morrow	<u>State Employment: Military Leave</u> Would have made state employees who were on inactive military duty eligible for paid leave.	Failed in Assembly Appropriations Committee
SB 648 Committee on Environmental Quality	<u>Public Contracts: Preferences: Recycled Products</u> Requires the Department of General Services to revise as needed its list of feasibly available recycled products, for purchase and use by state and local agencies, and to include the revised list in its annual report to the Legislature. Also requires state agencies to continuously review their procedures and specifications for the purchase of lubricating and industrial oils to eliminate any exclusion of recycled oils.	Enacted Chapter #408

Provides that employees of the state, and employees and officers of the Legislature, the executive and the judicial branches, who are called into active duty as a member of the California National Guard, or a United States military reserve organization as a result of the war on terrorism are entitled to the following, for a period not to exceed 365 calendar days, as part of his or her compensation:

- A. The difference between the military pay and allowances and the pay the employee would have received from the state; and
- B. All of the benefits that would have been received if he or she had not been called into active duty.

Specifies that if an individual does not return to work following active duty, the compensation required by these provisions would be treated as a loan to be repaid with interest. **Urgency Measure effective February 13, 2002.**

- Provides, effective July 1, 2003, a 5% salary increase to all employees in Units 1, 3, 4, 11, 15, and 21.
- Provides for a reduction in the retirement contribution for all employees in Units 1, 3, 4, 11, 15, and 21, as follows:
 - a) Effective from January 1, 2002, to June 30, 2002, employees will receive a 2.5% reduction in their contribution for retirement.
 - b) Effective July 1, 2002, employees will receive an additional 2.5% reduction in their contribution for retirement.
 - c) Effective July 1, 2003, the employees' contribution rate for retirement will be restored to levels in effect on August 30, 2001.
- Provides that the state will make the following monthly contributions towards the costs of health benefits for all employees in Units 1, 3, 4, 11, 15, and 21, as follows:
 - a) Effective January 1, 2002 to December 31, 2002, the contribution will be: 1 Party - \$190; 2 Party - \$378; and, 3 Party - \$494.
 - b) Effective January 1, 2003, the contribution will be: 1 Party - \$190 plus two-thirds of the January 1, 2003 California Public Employees' Retirement System (PERS) Health Maintenance Organization (HMO), single-party premium increase; 2 Party - \$378 plus two-thirds of the January 1, 2003 PERS HMO, two-party premium increase; and, 3 Party - \$494 plus two-thirds of the January 1, 2003 PERS HMO, family premium increase.
- Provides that \$5.8 million will be applied to individual health enrollment amounts for the months of January through June 2003 and requires the parties to meet no later than July 1, 2002, to determine how the money will be shared by Units 1, 3, 4, 11, and 15 employees in applying the amount to individual health enrollments.
- Establishes a "post and bid" pilot project for various state job classes in Units 1, 4, and 11. Under the pilot project, employees who meet standards, consistent with existing State Personnel Board laws and rules, will be able to bid for vacant positions. If all candidates who bid for the vacant position meet the qualifications specified for the position, seniority will be the determining factor in filling the vacancy.
- Makes a variety of other changes specific to each bargaining unit as specified in each MOU.

Specifies that the collective bargaining agreements for Units 1, 3, 4, 11, 15, and 21 will go into effect at the beginning of the pay period following ratification of both the Legislature and the union and will remain in effect through July 2, 2003. **Urgency Measure effective April 1, 2002.**

SB 905
Perata

Public Employees

Vetoed

Would have clarified that no local jurisdiction may establish payroll deduction programs unless they abide by the provisions contained in the Government Code as authorized by the Legislature. Would have prohibited the establishment of a payroll deduction program for the purpose of collecting donations, dues, or contributions for expenditure by a political action committee except as authorized by a collective bargaining agreement or pursuant to other specified statutory procedures. Also would have provided that an employee organization may use dues or assessments to make political contributions to candidates and ballot measures if those funds, when raised, are not specifically earmarked for any clearly identifiable local officeholder.

SB 987
Escutia

The Dymally-Alatorre Bilingual Services Act

Vetoed

Would have revised the Dymally-Alatorre Bilingual Services Act (Act) to use local population data in determining where state agencies must provide non-English services. Also would have expanded the power of the State Personnel Board to require state agencies to develop and execute implementation plans for complying with the Act.

SB 1033
Knight

Bid Preferences: Disabled Veteran Business Enterprises

**Failed in
Assembly
Appropriations
Committee**

Would have created an additional 3% bid preference for small businesses that are also certified as disabled veteran business enterprises, and raised the limit for the small business bid preference and the disabled veteran business enterprise to \$80,000 each.

Public Employment and Contracting

**Enacted
Chapter #1165**

- Declares the Legislature's intent to reaffirm diversity as a public policy goal in public contracting and employment as follows:
 1. Proposition 209, enacted in 1996, bans discrimination or preferential treatment based on race, ethnicity, and gender in public employment, education or contracting.
 2. Declares the intent of the Legislature to reaffirm diversity as a public policy goal in public contracting and employment.
 3. States that an August 2000 report by the Governor's Task Force on Diversity and Outreach, recommended that the State's outreach efforts should ensure all sectors of California's work force are informed of state employment openings, and that governmental agencies are not prohibited from fashioning outreach programs in ways that will yield diverse results in public employment and contracting.
- Provides that current Constitutional prohibitions enacted by Proposition 209 do not prevent governmental agencies from engaging in public sector outreach programs as specified, and further that it is the intent of this act that all government agencies will engage in general recruitment and outreach programs to all described individuals, and use current state civilian labor force data and other specified methods to implement provisions of this act.
- Provides that the Governor's report cited above, concluded that data on minority business participation is not currently available, and needs to be addressed.
- Provides that in addition to contracting for and procuring goods, services, information technology, construction, architecture, and engineering consulting, and other consulting services, state and local departments and agencies are authorized to conduct described focused outreach activities in addition to general outreach activities in order to increase participation by California's small business sector and to increase diversity in the State's contracting and procurement activities.
- **Beginning January 1, 2003, the bill requires each state department or agency awarding a contract or procuring goods or services, and allows any local agency receiving state funds, to collect information and report to the Governor and the Legislature on the level of participation by minority, women, and disabled veteran-owned business enterprises in contract and procurement activities detailed in this act. This report must be submitted annually, on or before July 1st as specified.**

State Civil Service: Examinations

Would have established policies and procedures to ensure the broad dissemination of state examination and employment information to all sectors of California's workforce.

**Failed in
Assembly
Appropriations
Committee**

Unemployment Insurance

Would have provided that an individual is 'unemployed' in any week of less than full-time work if the wages payable to him or her with respect to that week, when reduced by \$50 or 40% of the wages payable, whichever is greater, do not equal or exceed his or her weekly unemployment compensation benefit amount.

**Failed in Senate
Appropriations
Committee**

SB 1284 Battin	<u>Military Reserves: Benefits: Operation Enduring Freedom</u> Would have provided the same relief, provided to reservists called to serve on active duty during the Iraq-Kuwait Crisis, to those reservists called to active duty for national emergencies caused by the terrorist attacks on New York City and the Pentagon resulting in Operation Enduring Freedom.	Failed in Senate Judiciary Committee
SB 1292 Haynes	<u>State Agency Fiscal Reports</u> Would have required all state agencies to submit a report to specified legislative committees encompassing the fiscal years 1996/97 to 2001/02 and each fiscal year thereafter, that identifies and details the total amount of all appropriations per unit within the agency, the total amounts of expenditures and percentage of increase over the expenditures of the previous year.	Failed First House
SB 1347 Brulte	<u>State Budget: Zero-Based Budgeting</u> Would have required that the budget submitted by the Governor to the Legislature for the 2003-04 fiscal year and each following year be developed pursuant to zero-based budgeting for each state agency.	Failed in Assembly Budget Committee
SB 1428 McClintock	<u>Government Reorganization: Realignment or Closure</u> Would have established an eight-member Bureaucracy Realignment and Closure Commission and a process for realigning or closing state government entities.	Failed in Assembly Appropriations Committee
SB 1441 Oller	<u>Expenditure of Public Moneys: Initiatives and Referenda</u> Would have, to the extent permitted by the California Constitution and federal law, prohibited public officials from expending public moneys to prosecute, file, initiate, or join any legal action to either: (1) prevent the placement of any state or local initiative or referendum or any part thereof on the ballot; or (2) prevent the implementation of an initiative or referendum or any part thereof that has been approved by the voters.	Failed Senate Elections & Reapportion- ment Committee
SB 1443 Oller	<u>Legislative Oversight: Reports and Studies</u> Would have provided that any report or study required to be prepared and submitted to the Legislature or submitted to the Legislative Counsel by a state or local agency would be submitted electronically and that a member of the Legislature who requested a printed copy of the report or study would reimburse the agency for printing costs.	Failed in Senate Governmental Organization Committee
SB 1452 Escutia	<u>Whistleblowers</u> Would have prohibited a person or entity that accepted debit cards for the transaction of business from printing more than the last 5 digits of the debit card account number on a receipt provided to the cardholder.	Died in Assembly Judiciary Committee

SB 1464
Soto

Public Employees' Health Care Benefits: Employer Contributions

Enacted
Chapter #896

- States that it is the intent of the Legislature to increase the existing minimum employer paid PEMHCA contribution, adjusting it annually for future inflation.
- Increases the minimum employer contribution for contracting agencies participating in PEMHCA, beginning January 1, 2004, from \$16 per month per employee or annuitant to the following:
 - A. \$32.20 per month during calendar year 2004.
 - B. \$48.40 per month during calendar year 2005.
 - C. \$64.60 per month during calendar year 2006.
 - D. \$80.80 per month during calendar year 2007.
 - E. \$97 per month during calendar year 2008.
- Requires, beginning January 1, 2009, the employer's contribution be adjusted annually to reflect changes in CPI.

SB 1471
Romero

Sick Leave

Enacted
Chapter #1107

Provides that any employer who maintains an absence control policy which counts sick leave used to care for a child, parent, spouse, or domestic partner as an absence which may lead to or result in discipline, discharge, demotion, or suspension shall constitute a per se violation of the law relating to sick leave, and employees working under such an absence control policy are entitled to appropriate legal and equitable relief under this law.

Governor's Signing Message indicates that he is signing this bill because it neither adds or subtracts from existing law.

SB 1479
Morrow

Premarital Preparation Course

Vetoed

Would have authorized until January 1, 2008, a county to adopt an ordinance that provides a \$7 discount of the marriage license fee and a \$7 discount of the confidential marriage license fee, if a couple, at their own expense, completes, within one year prior to the date of the application for the license, a specified premarital preparation course conducted by a premarital preparation course provider who has registered with the county clerk and issues a certificate of completion to the couple to be filed with the county clerk.

SB 1482
Polanco

Barbering and Cosmetology

Enacted
Chapter #1148

Expands state government by re-establishing an independent State Board of Barbering and Cosmetology within the Department of Consumer Affairs, and thereby shifts management of the Bureau of Barbering and Cosmetology from the Administration to the board.

SB 1503
Ackerman

State Employment: Civil Service Proceedings

Died on
Assembly Floor

Would have applied the one-year limitation for bringing a cause of action related to state civil service law or administration to the state or any other governmental entity and would have established an exception to the one-year provision by requiring that an action or proceeding to reverse a final decision of the State Personnel Board for reinstatement or an award of back pay must be filed and served within 90 days of the final decision.

SB 1536
Soto

Public Employees' Medical and Hospital Care Act: Wage Claims

Enacted
Chapter #898

Makes various changes to the Public Employees' Medical and Hospital Care Act related to the provision of cost effective medical benefits for public employees by the State Public Employees' Retirement System (PERS) and authorizes the PERS board member who is an elected official of a contracting agency to designate a deputy or act in his or her place on the board.

SB 1538
Burton

Employment Arbitration Agreements

Vetoed

Would have made it an unlawful employment practice to require an employee to waive any rights or procedures under the Fair Employment and Housing Act ("FEHA"), and would make unenforceable any pre-dispute arbitration agreement between an employer and employee that violates the above prohibition. Also would have prohibited an employer from taking any adverse employment action against a person for refusing to waive rights or procedures under FEHA, and also makes related legislative findings.

SB 1614
Speier

Birth and Death Records: Public Disclosure

Enacted
Chapter #712

See Page (A11)

- Expands disability insurance rights and benefits due to an employee's need to provide care for any sick or injured family member, as defined, or the birth, adoption, or foster care placement of a new child.
- Creates a family temporary disability insurance program to provide up to six weeks of wage replacement benefits to workers who take time off work to care for a seriously ill child, spouse, parent, domestic partner, or to bond with a new child.
- Defines "family care leave" to mean any of the following: (1) leave for reason of the birth of a child of the employee or the employee's domestic partner, the placement of a child with an employee in connection with the adoption or foster care of the child by the employee or domestic partner, or the serious health condition of a child of the employee, spouse or domestic partner, and (2) leave to care for a parent, spouse, or domestic partner who has a serious health condition.
- Defines "serious health condition" to mean an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential health care facility, or continuing treatment or continuing supervision by a health care provider.
- Provides that an individual shall be deemed eligible for family temporary disability insurance benefits on any day in which he or she is unable to perform his or her regular or customary work because he or she is caring for a new child or a seriously ill child, parent, spouse, or domestic partner, subject to a waiting period of seven consecutive days during each temporary family disability benefit period with respect to which waiting period no benefits are payable.
- Requires the certificate to establish medical eligibility to contain the following: (1) a diagnosis and diagnostic code prescribed in the International Classification of Diseases, or, where no diagnosis has yet been obtained, a detailed statement of symptoms. (2) The date, if known, on which the condition commenced. (3) The probable duration of the condition. (4) An estimate of the amount of time that the physician or practitioner believes is needed to care for the child, parent, spouse, or domestic partner. (5) A statement that the serious health condition warrants the participation of the employee to provide care for his or her child, parent, spouse, or domestic partner.
- States that the term "warrants the participation of the employee" includes, but is not limited to, providing psychological comfort, and arranging "third party" care for the child, parent, spouse, or domestic partner, as well as directly providing, or participating in, the medical care.
- Makes it unlawful to falsely certify the medical condition of any person in order to obtain FTDI benefits, to knowingly present or cause to be presented any false or fraudulent statement in support of any claim for FTDI benefits, or to knowingly solicit or receive any payment for soliciting a claimant to apply for FTDI benefits.
- Requires the Director of the State Department of Employment Development (EDD) to increase the rate of worker contributions by .08% for the 2004 and 2005 calendar years to cover the initial cost of FTDI benefits.
- Provides that the maximum amount payable to an individual during any disability benefit period for FTDI shall be six times his or her "weekly benefit amount," but in no case shall the total amount of benefits payable be more than the total wages paid to an employee during his or her disability base period.
- Provides that no more than six weeks of FTDI benefits shall be paid within any 12-month period.
- Provides that an individual is not eligible for FTDI benefits with respect to any day that another family member is able and available for the same period of time that the individual is providing the required care.
- Specifies that an individual who is entitled to leave under the federal Family and Medical Leave Act (FMLA) and California's Family Rights Act (CFRA) must take FTDI leave concurrent with leave taken under the FMLA and the CFRA.
- Specifies that as a condition of an employee's initial receipt of FTDI benefits during any 12-month period in which an employee is eligible for these benefits, an employer may require an employee to take up to two weeks of earned but unused vacation leave prior to the employee's initial receipt of these benefits.
- Provides that if the director finds that any individual falsely certifies the medical condition of any person in order to obtain FTDI benefits, with the intent to defraud, the director shall assess a penalty against the individual in the amount of 25% of the benefits paid as a result of the false certification. Specifies that penalties collected shall be deposited in the contingent fund.

SB 1666 McPherson	<u>Employment Training Panel: Funds</u> Would have permitted the Employment Training Panel to allocate funds in the Employment Training Fund for small business skills training of small business owners who meet specified criteria.	Failed in Senate Governmental Organization Committee
SB 1687 Margett	<u>Public Contracts: Bids: Internet</u> Adds a provision to the Public Contract Code that authorizes public entities to adopt methods and procedures to receive bids on public works or other contracts over the Internet, but only if no bid can be opened before the bid deadline and all bids can be verified as authentic.	Enacted Chapter #398
SB 1781 Johnson	<u>Political Reform Act of 1974: Violations</u> Would have, with respect to violations that occurred for failure to report economic interests, authorized the commission to require the violator to pay a monetary penalty of up to \$10,000 per violation to the General Fund of the state. Also would have authorized the commission, when the unreported economic interest exceeded \$500,000 in value, to require the violator to pay an additional monetary penalty equal to 1 percent of the value of the unreported economic interest.	Failed in Senate Elections & Reapportion- ment Committee
SB 1782 Johnson	<u>Political Reform Act of 1974: Consultants</u> Would have defined the term "consultant" to include an individual who, as an employee of, or pursuant to a contract with, a state or local governmental entity: (1) performed, for any length of time, substantially the same duties for an agency that would have otherwise been performed by an individual holding a position that is, or should be, listed in the agency's Conflict of Interest Code; and (2) is retained, or whose employer is retained, to make decisions that involve the making, or participation in the making, of decisions that may foreseeably have a material effect on financial interests.	Failed in Senate Elections & Reapportion- ment Committee
SB 1783 Johnson	<u>Political Reform Act of 1974: Disclosure</u> Would have redefined the term "jurisdiction" for the purposes of reporting interests in investments, real property, and business positions to include the entire state, regardless of the jurisdiction of the state or local entity with which the individual required to file the statement of economic interests held a position.	Failed in Senate Elections & Reapportion- ment Committee
SB 1814 Dunn	<u>Business Regulation</u> Would have prohibited any person to monopolize, attempt to monopolize, or to combine or conspire with any person or persons to monopolize any part of trade or commerce. Various penalties would have subsequently applied.	Failed in Assembly Business & Professions Committee

SB 1835 Committee on Budget and Fiscal Review	<p><u>State Government: Budget Trailer Bill</u></p> <ul style="list-style-type: none"> • Requires significant cuts to the state bureaucracy to a total of 5% and \$750 million. • Requires the Governor to issue an executive order to provide additional service credits for designated units in order to encourage the early retirement of state employees. • Requires the 1,000 state positions to be abolished by the end of the 2003-04 Budget year. • Limits General Fund (GF) expenditures for the 2003-04 Budget year to the amount of GF revenues. 	Enacted Chapter #1170
SB 1872 Bowen	<p><u>Vendors: Refund and Return Policies: Consumer Remedies</u></p> <p>Requires vendors selling or leasing goods or services over the Internet, telephone, or other electronic means in California to make a refund for returned goods or cancelled services within 30 days of receipt and requires the vendor to credit a third-party credit card account within seven business days.</p>	Enacted Chapter #326
SB 1892 Perata	<p><u>State Employees' Retirement: Benefits</u></p> <p>Would have expressed the intent of the Legislature to enact provisions that would have authorized the adoption, pursuant to the terms of a memorandum of understanding between the state employer and the recognized employee organization, of a 3% at age 60 formula, a 2.5% at age 55 formula, or a 2.7% at age 55 formula for service retirement benefits for employees of the California State University and state miscellaneous and state industrial members employed by the state employer. Also would have expressed the intent of the Legislature to enact a 3% at 55 formula for state safety members.</p>	Died in Assembly Public Employees, Retirement & Social Security Committee
SB 2018 Figueroa	<p><u>Consumer Boards & Committees: Funds Subject to Appropriation</u></p> <p>Provides that money collected from fines, penalties, or other enforcement actions is not continuously appropriated, and will only be available for expenditure upon appropriation by the Legislature.</p>	Enacted Chapter #682
SB 2024 Figueroa	<p><u>State Employees: Vacant Positions</u></p> <p>Would have repealed existing statute enacted as part of the Budget Act of 2000 that required the abolishing of state employee positions left vacant for more than six consecutive monthly pay periods, including pay periods during a state hiring freeze, and would have enacted a statute relating to the abolishing and reestablishing of vacant positions.</p>	Died on Senate Floor
SB 2026 Committee on Business and Professions	<p><u>Professions and Vocations</u></p> <p>Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to the Board of Behavioral Sciences, Board of Professional Engineers and Land Surveyors, Bureau of Security and Investigative Services, Contractors' State License Board, Board of Pharmacy, Physical Therapy Board, and other related programs.</p>	Enacted Chapter #1013

SBX3 1 Peace	<p><u>Budget Act of 2001</u></p> <p>The Budget Act of 2001 (Ch. 106, Stats. 2001), made appropriations for the support of state government during the 2001-02 fiscal year. This statute amends the Budget Act of 2001 by revising various items of appropriation, as specified, and authorizing the Director of Finance to revert additional amounts from specified funds to the General Fund.</p>	Enacted 3xCh. 1
SBX3 2 Alarcon	<p><u>Unemployment Insurance: Benefits Compensation</u></p> <p>Under existing law, for new claims filed on or after January 1, 1992, and prior to January 1, 2002, the weekly unemployment compensation benefit for an individual whose highest wages in the quarter of his or her base period exceeded \$4,966.99 is 39% of those wages divided by 13, not to exceed \$230. In the case of new claims filed with an effective date beginning on or after January 1, 2002, and prior to January 1, 2003, the weekly benefit amount for individuals whose highest wages in the quarter of his or her base period exceeds \$2,781.99 is 45% of those wages not to exceed \$330.</p> <p>This statute applies this provision to existing and new claims, as provided, filed on or after September 11, 2001, and prior to January 1, 2003. Also states the intent of the Legislature that certain provisions of the bill be construed to allow the benefit period of a qualified unemployed person, as defined, to run from the date that the qualified unemployed person became unemployed, as provided.</p>	Enacted 3xCh. 4
SCA 7 Burton	<p><u>Access to Government Information</u></p> <p>This Constitutional Amendment would have made government records public by way of a constitutional amendment. It would have required departments to present evidence and disclose details and findings for requested information. Under this Constitutional Amendment, departments that would have denied public records requests would have to show cause as to the denial and risk possible litigation.</p>	Died at Assembly Desk
SCA 8 Oller	<p><u>Legislature: Bills and Statutes</u></p> <p>This measure would have prohibited the passage of a bill by either house until 72 hours after the bill with amendments had been printed, distributed to the members, and made available to the public in printed or electronic form.</p>	Failed in Senate Rules Committee